

Child Abuse by Teachers and Legal Ways to Encounter in Rural Areas

Mohtaram Rabbani

PhD Candidate in Psychology of Child Development
Universiti Putra Malaysia (UPM)
E-mail: mina.rabbani@yahoo.com
Phone No: +60173956320

Masoumeh Pourrajab

Post-Doctoral Research Fellow
Faculty of Education, University of Malaya (UM)
Email: mpourajab@gmail.com
Phone No: +60173898239

Shahnaz Rahpaymaelizehee

PhD Candidate in Politics and Government
Universiti Putra Malaysia (UPM)
E-mail: shahnaz_eliezeh@yahoo.com
Phone No: +60142609386

Bahare Fallahi

PhD Candidate in Housing
Universiti Putra Malaysia (UPM)
E-mail: bahare.fallahi@yahoo.com
Phone No: +60102714204

Abstract

Many children closely interact with teachers for nine months out of the year and schools are one of the safest places for students to be educated and teachers have a vital role for this education. Teachers should prevent from different kinds of child abuses and have an important role for preventing from child abuse. The primary purpose of this literature review study is to investigate of the phenomenon of child abuse within the school environment by teachers. The second aim of this paper is to determine the legal ways in different countries to encounter with physical child abuse by teachers. Child abuse by teachers has an in depth influence on children's behaviors and their academic achievements. Abused children have been found to suffer from extreme deficits in school, exhibit poor academic performance, antisocial behaviour, poor self-respect, higher criminal behaviour rates, scepticism of adults, and central nervous system functioning. The findings of this paper showed that there are many reported cases of child abuse by teachers in rural areas, nevertheless, many countries banned or restricted physical abuse or corporal punishment and made legal decisions.

Key word

Legal ways, teachers, child abuse, rural, corporal punishment

Introduction

Child abuse is a serious social problem as well as a matter of primary importance for public health (Theoklitou, Kabitsis et al. 2011). Particularly, child abuse is associated with short and long term consequences that may include brain damage , developmental delays , learning

disorders, and problems forming relationships, aggressive behaviour, and depression (Estache and Rossi 2008).

Interest in the healthy development and adjustment of children and young people and thereby in child abuse and neglect are by no means new. However, violence against children was viewed as a private matter for generations (Korbin 2002). This increasing awareness of child abuse and neglect raises questions about how well teachers are prepared for their role in child protection (McKee and Dillenburg 2009). Also, emotional child abuse was highly prevalent in pupils in basic school education (Saddik and Hattab 2012).

Given that children and young people spend a third of their time in school, teachers and others working in the field of education are in a unique position to contribute to detection and prevention child abuse (Gershoff and Bitensky 2007). Unfortunately, majority of teacher trainees and teachers believe that shouting, scolding, use of vulgar language, humiliation and negatively labeling of pupils as stupid, ugly, foolish is mainly done by female teachers in schools (Shumba 2002). School violence has been reported as one of the most important and devastating social problems facing school children and their parents, to the extent that students perceive their school context as an unsafe environment (Aluede 2004).

The majority of studies locate the problem in the immediate family environment (Coleman and Dodge 2010). It is however known that the problem of abuse is not only limited to a person's family but also to the broader environment in which they function. Many studies investigated child abuse by parents and very little attention has been paid to the victimization of primary school pupils by their teachers (Theoklitou, Kabitsis et al. 2011).

It was found that in South African schools the problem of child abuse and authoritarian punishment is still rife. From the readings of Foucault's works suggestions are made for changes to the system and to teachers' mental attitude in order to move to a more constructive way of maintaining power and discipline (Venter and Van Niekerk 2012).

In Asian countries, punishment has multidimensional impacts upon students' academic performance/career, psyche and personality development. The study suggests that teachers' education, training and awareness regarding curbing ways of corporal punishment and adopting alternative ways to correct students' misbehaviour is inevitable and teachers' use of abuse on students is a prevalent practice (Wong 2011, Naz, Khan et al. 2012).

In United States although abuse has been banned in 29 states, more than a million cases of child abuse in U.S. schools continue to be reported annually, with states located in the south eastern and south western United States accounting for the vast majority of instances of abuse (Dupper and Dingus 2008).

According to different studies that investigated various forms of child abuse (Chan, Brownridge et al. 2012) in this study the researchers consider all forms of child abuse by teachers at school environment. Also, this paper considers that there are many legal decisions in different countries that banned or restricted child abuse by teachers.

Definition of Child Abuse

Child abuse refers to any form of physical, psychological, social, emotional or sexual maltreatment of a child whereby the survival, safety, self-esteem, growth and development of the child are endangered (Bosede 2010). Child abuse is any action or lack of action that in any way may jeopardize or damage a child's emotional, physical or psychological health and development (Francis 2008).

Consequences of Child Abuse by Teachers

Some children encounter with child abuse by teachers, who think that different forms of child abuse and especially physical abuse and corporal punishment is the only language that some students understand better for learning within school environment. Significantly for educators, children who have experienced abuse and neglect are less likely to achieve well at school and are more likely to leave school at an earlier age, missing the skills, knowledge and qualifications they need for effective participation in society (Walsh, Bridgstock et al. 2008).

Child abuse was associated with problems in both emotional and behavioural adjustment. However, these associations were strongest for children who experienced high levels of abuse, for children who were impulsive, and for children who did not experience a warm and supportive family climate (Aucoin, Frick et al. 2006). Academic achievement is one of the problems among abused students that struggle in school and they do not have high academic achievement. There are many internalizing and externalizing problem behaviours among these students, so they are not able to increase the needed tools to foster resiliency on various levels (Milner, Thomsen et al. 2010).

Abused children do not learn communication skills and successful problem-solving techniques that allow them to deal with life's challenges and everyday problems (Yanowitz, Monte et al. 2003). They have been found to suffer from extreme deficits in school, exhibit poor academic performance, antisocial behaviour, poor self-respect, higher criminal behaviour rates, scepticism of adults, and central nervous system functioning (Sheppard 2012).

Child abuse is associated with short and long term consequences that may include brain damage, developmental delays, learning disorders, and problems forming relationships, aggressive behaviour, and depression (Estache and Rossi 2008). Heathman (2008) reported there are many children living hungry, neglected, sexually exploited, and feeling unloved and fearful. So, it is an important issue that an abusive environment is certainly no way for a child to grow-up because children have the right to have a safe and nurturing environment.

Legal Ways to Encounter with Child Abuse by Teachers in Different Countries

The use of abuse for the education of a child is one of the most loaded and disputed questions among jurists, psychologists, sociologists, educators, and the general public (Shmueli 2009). The vital role of education in social and cognitive abilities is important (Schoon 2008), modern approaches hold that the use of different forms of child abuse should be prohibited because of the physical and emotional damage it causes and its inefficiency. According to other

approaches, if corporal punishment is administered moderately and with due composure, it is not harmful and could even be useful in setting boundaries for children (Shmueli 2009).

The school does not authorise, in any way, the use of child abuse to discipline children (Force 2012). More countries are now banning child abuse in schools, as advocated by the United Nations Committee on the Rights of the Child in its regular reviews of countries' compliance with the UN Convention on the Rights of the Child (1989), the most widely ratified human rights Convention (Yoshida 2011).

In most countries of the world, corporal punishment, as a form of child abuse, is permitted so long as it is moderate and reasonable. Some sixteen countries, mostly in Europe, have prohibited by law, in one form or another, the use of corporal punishment for the education of children (Durrant and Janson 2005, Shmueli 2009).

Several strategies designed to reduce the frequency of child abuse in general (Dupper and Dingus 2008) and include steps to end use of abuse as a mode of discipline in schools (Straus 2000). Additionally, strategies that specifically target those communities where strongly held religious and cultural beliefs reinforce the routine use of any forms of abuse, and it calls on school social workers to advocate for effective alternatives to abuse and to work to ban abuse in those 21 states where it remains legal (Dupper and Dingus 2008). An forms of abuse by teachers has been banned in about 90 countries, there is a worldwide legal and extra-legal controversy over the legitimacy of using this method as a means of education (Shmueli 2010).

Conclusion

In the modern world and besides laws of child abuse by many countries to prevent from these issues, unfortunately, there is considerable prevalence of child abuse by teachers in schools. The present study contributes additional importance of considering child abuse by teachers and legalizes more rules for encountering and preventing from this important issue in the modern world.

Taken together, these findings suggest that most countries have special laws about child abuse by teachers and they banned this action in severe forms among students. So far, however, many studies considered child abuse by parents and there has been little discussion about child abuse by teachers. The researcher suggests further studies should be done for investigation the reasons for teachers to do child abuse nevertheless, legal ways to encounter with these issues. More information on child abuse by teachers would help us to establish a greater degree of accuracy on this matter and legalize more practical ways for preventing from child abuse. It is better to clarifying the law with more vigorous enforcement for school teachers. All teachers need to be better educated on classroom management and student discipline without resorting to abuse. Teachers should be aware of students' negative emotional reactions from being abused. Likewise, school counsellors may adopt in bringing the public to awareness of the dangers of abuse of students; and also some strategies that school counsellors may adopt in developing human relations skills that would help teachers turn away from abuse of students. Also, Ministry of Education should be aware of this serious problem that can effect of students in different aspects.

References

- Aluede, O. (2004). "Psychological maltreatment of students: A form of child abuse and school violence." Human Ecology **16**(4): 265-270.
- Aucoin, K. J., P. J. Frick and S. D. Bodin (2006). "Corporal punishment and child adjustment." Journal of applied developmental psychology **27**(6): 527-541.
- Bosede, A. F. (2010). "Broken Homes and Child Abuse." Pakistan Journal of Social Sciences **7**(3): 240-243.
- Chan, K. L., D. A. Brownridge, D. Y. T. Fong, A. Tiwari, W. C. Leung and P. C. Ho (2012). "Violence against pregnant women can increase the risk of child abuse: A longitudinal study." Child Abuse & Neglect.
- Coleman, D. L. and K. A. Dodge (2010). "Foreword: Corporal Punishment of Children."
- Dupper, D. R. and A. E. M. Dingus (2008). "Corporal Punishment in US Public Schools: A Continuing Challenge for School Social Workers." Children & Schools **30**(4): 243-250.
- Durrant, J. E. and S. Janson (2005). "Law Reform, Corporal Punishment and Child Abuse: The Case of Sweden." International Review of Victimology **12**(2): 139-158.
- Estache, A. and M. A. Rossi (2008). "Regulatory agencies: impact on firm performance and social welfare." Policy Research Working Paper **4509**.
- Force, R. (2012). "AND PHYSICAL RESTRAINT POLICY." POLICY.
- Francis, S. L. (2008). Current interventions in co-occurring child maltreatment and domestic violence: A qualitative study of changing policy, practice and collaboration in North Carolina, ProQuest.
- Gershoff, E. T. and S. H. Bitensky (2007). "The case against corporal punishment of children: Converging evidence from social science research and international human rights law and implications for US public policy." Psychology, Public Policy, and Law **13**(4): 231.
- Heathman, P. D. (2008). Abused But Not Shaken, II: Child Neglect and Abuse, Lulu. com.
- Korbin, J. E. (2002). "Culture and child maltreatment: cultural competence and beyond." Child Abuse & Neglect **26**(6): 637-644.
- McKee, B. E. and K. Dillenburger (2009). "Child abuse and neglect: Training needs of student teachers." International Journal of Educational Research **48**(5): 320-330.
- Milner, J. S., C. J. Thomsen, J. L. Crouch, M. M. Rabenhorst, P. M. Martens, C. W. Dyslin, J. M. Guimond, V. A. Stander and L. L. Merrill (2010). "Do trauma symptoms mediate the relationship between childhood physical abuse and adult child abuse risk?" Child abuse & neglect **34**(5): 332-344.

Naz, A., W. Khan, U. Daraz, M. Hussain and Q. Khan (2012). "The Impacts of Corporal Punishment on Students' Academic Performance/Career and Personality Development Up-To Secondary Level Education in Khyber Pakhtunkhwa Pakistan."

Saddik, A. S. and A. S. Hattab (2012). "Emotional abuse towards children by schoolteachers in Aden Governorate, Yemen: A cross-sectional study." BMC Public Health **12**(1): 647.

Schoon, I. (2008). "A transgenerational model of status attainment: The potential mediating role of school motivation and education." National Institute Economic Review **205**(1): 72-82.

Sheppard, W. N. (2012). An Ecological Approach to Understanding Physical Child Abuse and the Impact on Academics: Differences between Behaviors in Physically Abused and Nonabused Children Regarding Parental Disciplinary Practices, Family Interaction and Family Events and Their Effects on Social Interaction and School Success, The Ohio State University.

Shmueli, B. (2009). "Who's Afraid of Banning Corporal Punishment? A Comparative View on Current and Desirable Models."

Shmueli, B. (2010). "Corporal Punishment in the Educational System Versus Corporal Punishment by Parents: A Comparative View." Law & Contemp. Probs. **73**: 281.

Shumba, A. (2002). "The nature, extent and effects of emotional abuse on primary school pupils by teachers in Zimbabwe." Child abuse & neglect **26**(8): 783-791.

Straus, M. A. (2000). "Corporal punishment and primary prevention of physical abuse1." Child Abuse & Neglect **24**(9): 1109-1114.

Theoklitou, D., N. Kabitsis and A. Kabitsi (2011). "Physical and emotional abuse of primary school children by teachers." Child abuse & neglect.

Venter, E. and L. Van Niekerk (2012). "Reconsidering the role of power, punishment and discipline in South African schools." Koers-Bulletin for Christian Scholarship **76**(2): 243-260.

Walsh, K., R. Bridgstock, A. Farrell, M. Rassafiani and R. Schweitzer (2008). "Case, teacher and school characteristics influencing teachers' detection and reporting of child physical abuse and neglect: Results from an Australian survey." Child abuse & neglect **32**(10): 983-993.

Wong, P. (2011). Corporal punishment of students by teachers in elementary and middle schools in Taiwan: The relationship with school level, gender, school location, academic performance, and emotional reactions, UNIVERSITY OF SOUTHERN CALIFORNIA.

Yanowitz, K. L., E. Monte and J. R. Tribble (2003). "Teachers' beliefs about the effects of child abuse." Child abuse & neglect **27**(5): 483-488.

Yoshida, T. (2011). Corporal punishment of children: a critical realist account of experiences from two primary schools in urban Tanzania, Institute of Education (University of London).